

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION; THE
COMMISSIONER OF THE NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION; and THE ADMINISTRATOR
OF THE NEW JERSEY SPILL
COMPENSATION FUND,

Plaintiffs,

v.

ATLANTIC RICHFIELD CO., et al.,

Defendants.

IN RE MTBE LITIGATION

MASTER FILE No. 1:00-1898
MDL No. 1358 (VSB)

Civil Action No. 08-cv-00312

**ORDER FOR FEES RELATED TO THE SETTLEMENT WITH
DEFENDANTS GETTY PETROLEUM MARKETING, INC.; LUKOIL AMERICAS
CORPORATION individually and as f/k/a, d/b/a and/or successor in liability to Getty
Petroleum Marketing Inc., Lukoil North America LLC and/or Lukoil Oil Company;
LUKOIL NORTH AMERICA LLC, individually and as f/k/a, d/b/a and/or successor in
liability to Getty Petroleum Marketing, Inc., Lukoil Americas Corporation and/or OAO
Lukoil; LUKOIL OIL COMPANY, a/k/a OAO Lukoil a/k/a Public Joint Stock Company
Oil Company LUKOIL a/k/a PJSC Oil Company Lukoil, individually and as f/k/a, d/b/a
and/or successor in liability to Getty Petroleum Marketing Inc., Lukoil Americas
Corporation and/or Lukoil North America LLC; LUKOIL PAN AMERICAS, LLC, and
certain dividends and distributions related to defendant LYONDELL**

THIS MATTER having come before the Court on application by Cohn Lifland Pearlman Herrmann & Knopf LLP (“CLPHK”) (Leonard Z. Kaufmann appearing), on behalf of CLPHK and on behalf of Miller and Axline P.C., the Law Offices of John K. Dema, P.C. and Berger & Montague P.C. (collectively referred to herein as “Special Counsel”), and upon notice to and with the support of Gurbir S. Grewal, Attorney General of the State of New Jersey, upon motion of Special Counsel for approval of the attorneys’ fees to be paid on the recovery resulting from:

- a. the settlement with defendants GETTY PETROLEUM MARKETING, INC.; LUKOIL

AMERICAS CORPORATION individually and as f/k/a, d/b/a and/or successor in liability to Getty Petroleum Marketing Inc., Lukoil North America LLC and/or Lukoil Oil Company; LUKOIL NORTH AMERICA LLC, individually and as f/k/a, d/b/a and/or successor in liability to Getty Petroleum Marketing, Inc., Lukoil Americas Corporation and/or OAO Lukoil; LUKOIL OIL COMPANY, a/k/a OAO Lukoil a/k/a Public Joint Stock Company Oil Company LUKOIL a/k/a PJSC Oil Company Lukoil, individually and as f/k/a, d/b/a and/or successor in liability to Getty Petroleum Marketing Inc., Lukoil Americas Corporation and/or Lukoil North America LLC; LUKOIL PAN AMERICAS, LLC approved by this Court on March 31, 2020, in the amount of \$22,000,000; and

b. The following dividends and distributions from previously settled defendant Lyondell:

6/21/2017	\$5,613.30
9/13/2017	\$5,613.30
4/6/2018	\$359,836.20
4/6/2018	\$6,237.00
6/18/2018	\$6,237.00;

and the Court having read and considered the papers submitted, and good cause having been shown for the making and granting of the within Order;

IT IS on this _____ day of _____, 2020 hereby

ORDERED as follows:

1. Special Counsel shall be and herby is entitled to a fee of fifteen percent (15%) of the net recoveries referenced above— said amount being three million, two hundred and twenty-eight thousand, nine hundred and eighty seven dollars and twelve cents

(\$3,228,987.12). The Court finds such fee to be reasonable and in accordance with *Rule 1:21-7* of the Rules Governing the Courts of New Jersey and *Rule 1.5* of the New Jersey Rules of Professional Conduct.

2. Plaintiffs shall pay said amount to Special Counsel forthwith.
3. A copy of the within Order shall be served upon the Office of the Attorney General of the State of New Jersey within five (5) days of the receipt thereof.

SO ORDERED.

Hon. Vernon S. Broderick, U.S.D.J.